

Minutes of the Carlisle Board of Health
March 20, 2007
Approved: June 19, 2007

Present: Board Members Martha Bedrosian (Chairman), Michael Holland, Bill Risso, Jeffrey Brem; Leslie Cahill; also present: Linda Fantasia (Agent); Rob Frado (TCG) and Laura Foley Carlisle Mosquito

The meeting was called to order at 7:45 p.m. at the town hall.

MINUTES – the Board took some time to review minutes.

BILLS – It was moved (Bedrosian), seconded (Cahill) and unanimously voted to approve the bills as presented.

FERNS COUNTRY STORE – Gabi White (CHD) reinspected on 3/5/07. All previous non-critical violations were addressed. White left it up to the Board whether to patch or replace the meat slicer. The Board agreed to the patch.

MRC FUNDING – Risso reported that he has spoken with Dave Flannery who suggested adding a sub panel between the main electrical box and the well pump to provide running water during an emergency. There is no generator at the school to run the well. A three phase generator would be needed, which the Fire Dept. either has or could borrow. The wastewater plant has its own back up generator. Rewiring the main box would cost around \$80,000. A sub panel, including labor might cost around \$4000. MRC funding for \$5600 is available. Flannery is checking on specifications.

TECHNOLOGY PLAN UPDATE – reviewed by the Board.

CARLISLE PUBLIC SCHOOLS WWTP – BOD levels were 62 mg/L; the acceptable limit under the groundwater discharge permit is 30 mg/L. Holland noted that the results submitted by Weston and Sampson, the Contract Operator, should have included a log of all previous results in accordance with DEP's reporting requirements. He further stated that it is not unusual for schools to have higher nitrogen and lower carbon in the treated effluent. Elevated BOD levels are most likely the result of excess carbon in the system. The treatment processes need to be monitored and adjusted to accommodate periods of little or no use such as weekends and vacation weeks. Even though the WWTP is not meeting permit goals, it is still removing 95% of pollutants of a conventional Title 5 System. The Contract Operator needs to develop better protocols for the operation of the WWTF. The system has only been in use for just under one year. Risso will bring this to the attention of the SBC. On another point, Risso asked the Board whether it would have any concerns about using excess capacity for municipal uses. Brem said it would require creating a district for private use, but might work for municipal facilities such as the library, town hall, or athletic fields. Holland said DEP would want more than one year of usage before increasing the flows. The Board was very positive about this possible use.

CARLISLE PUBLIC SCHOOLS – the annual food service permit was signed.

CONSERVATION COMMISSION MEETING – Brem reported that he met with the Conservation Commission to inform them that the Board of Health is considering revising local regulations involving setback to wetlands and required design flows. He provided them with a brief history of Title 5 and how the 1995 and 2006 revisions incorporate improved design standards based on better data. Local regulations may not be as critical for safeguarding the environment and in some instances may result in a negative impact to a site. Brem said he illustrated for the Commission how a 100' setback to wetlands might be less preferable; a reduced setback might allow for better siting options. There would be no reduction in the 100' setback to a well. Brem stressed that Title 5 setbacks would in no way compromise the Commission's jurisdiction over buffer zone work. He emphasized that the Board of Health has not made a decision and was only looking for input. Holland said that although he is comfortable with the standards of the current Title 5, he would suggest keeping a 100' setback for systems of 2000GPD or greater. He also feels that tear downs should be treated the same as new construction. The 100' setback to wetlands could be overcome through use of an I/A system. If the Board relaxes the local 100' setback, the Conservation Commission may regulate a 50' no work area closest to a wetland. Currently this is a policy but could be adopted as a bylaw.

SUPPLEMENTARY REGULATIONS – Fantasia will prepare a draft separating policies from regulations. Brem and Holland agreed to look over the engineering requirements.

RABIES CLINIC – 3/24/07 1-3:30. Clinic will be administered by the Carlisle Animal Hospital. Community Service Hours will be provided.

MINUTES – It was moved (Brem), seconded (Risso) and unanimously voted to approve the minutes of 2/13/07.

It was moved (Cahill), seconded (Risso) and voted 4-0-1 (Brem abstained since he was not present at the meeting) to approve the minutes of 2/27/07. It was moved (Brem), seconded (Risso) and voted 4-0-1 (Cahill abstained since she was not present at the meeting) to approve the minutes of 3/8/07.

HANOVER HILL PRELIMINARY SUBDIVISION PLAN – Present for the discussion was Rob West on behalf of Wilkins Hill LLC; David Freedman (Planning Board) was present for another agenda item.

Frado had reviewed the preliminary plan which includes 35 single family house lots. A portion of the parcel has been designated for affordable housing, but this will be done by a private group on behalf of the town. It is not part of the Hanover Hill Subdivision. Frado noted that testing on the parcel dates back to 1997. The soils are adequate for siting sewage disposal systems, although additional testing may be required to determine full compliance with local and state regulations for the issuance of individual sewage disposal construction permits. The Board of Health is within the 45 day comment period to Planning Board. West noted that wood waste disposal is addressed on the plan. It will be disposed offsite. There was no further discussion.

It was moved (Brem), seconded (Risso) and unanimously voted to make a positive recommendation to the Planning Board in accordance with plan entitled "Preliminary Plan for Hanover Hill in Carlisle MA, Map 19, Parcels 37, 38, 40, 4, Map 20, Parcels 9, 10A, for Wilkins Hill Realty LLC, Prepared by Stamski & McNary Inc., Dated February 6, 2007" that in general the depth of soils and percolation test results show that these lots should support subsurface sewage disposal systems; additional deep hole and percolation tests may have to be done prior to submitting plans and applications in order to satisfy Carlisle Supplemental Regulations and Title 5 minimum requirements for the issuance of subsurface sewage disposal system permits and further move that wood waste disposal has been addressed.

COVENTRY WOODS COMPREHENSIVE B PERMIT APPLICATION – Present for the discussion was David Freedman (Planning Board)

In December the Board approved ZBA granting a waiver from the local regulation limiting system capacity for multi-family dwellings to 5000 GPD based on 165 GPD per bedroom. The Board continues to be concerned, however, that the applicant has not provided any additional information to determine whether Septic System "C" is feasible without impacting abutting properties. The Board noted that two waivers were requested: one for the required garbage grinder allowance and a second for the 5000 GPD/165GPD per bedroom for multi-family dwellings. Risso said he is no longer in favor of granting the requested waivers if the applicant has not proven that there will be no negative impacts to abutters. Granting the waiver will result in more profit for the developer but possibly at the expense of the abutters. The standard of design should be the same as for any resident building in Carlisle. If the applicant disagrees he can appeal the decision. Holland felt that HAC would uphold an appeal. Freedman noted that the Board's 3/13/07 memo to the ZBA, summarizing its concerns about the development, mistakenly identified the 165GPD for the garbage grinder allowance rather than required design flow for multi-family dwellings. The Board agreed to correct this in a revised memo. Freedman also noted that the applicant has submitted a new design which calls for 48 age restricted units. The septic design flows are reduced since these units only require 150 GPD per unit rather than the 110 GPD per bedroom. He suggested the Board consider the Witten proposal which demonstrates that the developer could still receive a reasonable profit and with less density. The market value of the land is a key point. The town is having the land appraised and also looking over the pro-forma. Not granting the 165 GPD waiver could be key to limiting the number of units.

Brem felt that requiring 50% additional design flows for a 440 GPD dwelling may be too much, not requiring it for a 150 GPD unit is probably not enough. An oversized, underused system will not form a proper biomat, but an undersized one will not provide sufficient treatment. Holland said that there are sufficient safeguards in Title 5 design standards to prevent system failures. Risso still preferred the added protection of a larger treatment area and treating the Coventry Woods development the same as any other new construction project. Cahill agreed and said that the Board should rescind its recommendations. Freedman suggested that Board recommend a limit of 30 units to reduce impacts to the environment and let the applicant prove the project to be uneconomical. The Board was reluctant to propose a specific number, but would be in favor of a smaller number of units. Bedrosian suggested rescinding the previous recommendations because the applicant has not provided any information to show that abutters and/or town will not be harmed. The Board had based its recommendations on pre-permit testing results due to its concern on the feasibility of Septic System "C". Freedman suggested that the Board stay with its local regulations and treat all new construction the same. The Board began to reconsider its recommendations. Although he was not in agreement with all of the discussion points, Holland suggested that if the Board were to change its recommendations, it would be cleaner to simply withdraw all of the recommendations and require full compliance. Other members agreed. The Board cannot grant the waivers without the data needed to show that this action will not harm abutters.

It was moved (Cahill), seconded (Risso) that the Board of Health withdraw its recommendations to the Zoning Board of Appeals of December 18 and require the applicant for Coventry Woods Development to comply with all local regulations. Vote: 4-0-1(Holland). Motion carried.

The Board agreed to review the latest draft decision.

There was no further discussion. Meeting voted to adjourn at 10:00 pm.

Respectfully submitted,

Linda Fantasia
Recorder